

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED
AUG 18 2011
for Roanoke
JULIA C. DUDLEY, CLERK
BY: [Signature]
DEPUTY CLERK

SAMUEL ROBERT CONRAD, III,
Plaintiff,

Civil Action No. 7:10-cv-00560

v.

MEMORANDUM OPINION

BETTY AKERS, et al.,
Defendants.


By: Hon. Jackson L. Kiser
Senior United States District Judge

Plaintiff filed a document requesting a form motion for a preliminary injunction that was construed as a motion for a preliminary injunction. Plaintiff's Complaint addresses alleged inadequate medical treatment, in violation of the Eighth Amendment, plaintiff received at the New River Valley Regional Jail, which is located within this district. Since filing the action, plaintiff was transferred and is currently housed at a Virginia Department of Corrections' ("VDOC") facility in Chesapeake, Virginia, which is not within this district. Plaintiff requests a transfer from his facility in Chesapeake to Bland Correctional Center ("Bland") to receive medical treatment.

None of the defendants to this action, the Superintendent and medical personnel of a regional jail, are responsible for the treatment plaintiff receives in Chesapeake, and they do not have the authority to compel VDOC officials to transfer him between VDOC facilities. I lack the jurisdiction to compel non-defendants not within this district to transfer plaintiff based on allegedly poor medical treatment at the Chesapeake facility. See Steakhouse, Inc. v. City of Raleigh, 166 F.3d 634, 637 (4th Cir. 1999) ("The grant of interim [injunctive] relief is an extraordinary remedy . . . which is to be applied only in the limited circumstances which clearly demand it."). Accordingly, I cannot grant his request, and his motion is denied.

The Clerk is directed to send copies of this memorandum opinion and the accompanying order to plaintiff and counsel of record for the defendants.

ENTER: This 18th day of August, 2011.


Senior United States District Judge